STATE OF MAINE   Docket No. 98-924
PUBLIC UTILITIES COMMISSION

                                                       March 23, 2000

PORTLAND WATER DISTRICT   ORDER GRANTING
Proposed Rate Change   EXTENSION
(Decrease Of 8%)

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        On March 6, 2000, the Portland Water District requested a 60-day extension of its obligation to hold a public hearing in accordance with Chapter 670. The District reports that it has preliminarily determined that its 1999 revenues exceeded its 1999 operating expenses. Based on this preliminary determination, the District expects that it will be subject to the provisions of 35-A M.R.S.A. § 6112 (6) and MPUC Rules Ch. 670 § 6. These provisions require that, if for three consecutive years a water district's annual operating revenues exceed operating expenses for the corresponding year by at least 7 percent, the district notify ifs customers in writing of the over-collection and hold a hearing. Chapter 670 requires that notice of the over-collection and the hearing will take place by April 1, following the end of the third consecutive year. Thus, granting the District's request would require a waiver of the April 1 deadline for providing notice of the hearing and notice of the over-collection to the District's customers.

        The basis for the District's request is that the Stipulation accepted in Docket No. 98-924 requires the District to file with the Commission a summary of the District's 1999 revenue and expenses and a statement as to whether it intends to propose further rate adjustments. This report is due on April 1, 2000. The District states that once it makes the filing it will be prepared to meet with the parties and the Commission staff to review the report and discuss whether further rate adjustments are warranted. It further states that after such discussions it will then hold the public hearing if necessary in accordance with Chapter 670.   The Public Advocate does not object to the granting of the extension.

        Pursuant to Section 103 and 1302 of Chapter 110, the Commission or the presiding officer may permit deviations from the procedural requirements of rules upon a finding that compliance with the requirements is impracticable, inexpedient or unnecessary. The Examiner concludes that requiring the April 1 filing will cause a duplication of effort and therefore grants the waiver of the April 1 deadline set forth in section six of Chapter 670. *See* Chapter 110 §§ 103, 1302. Accordingly, the requested 60-day extension of the April 1 deadline is granted.

                Dated at Augusta, Maine this 23rd day of March, 2000.

                BY ORDER OF THE HEARING EXAMINER

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                        Lisa C. Fink

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1.   Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.

2.   Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.

3.   Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.